

**Notice of Allowability**

Application No.

09/762,052

Examiner

Stephen M. D'Agosta

Applicant(s)

VAISANEN, VEIJO

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment received 3-8-05.
2. ☒ The allowed claim(s) is/are 1-8, 10-20 and 22-24.
3. ☒ The drawings filed on 01 February 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

The applicant's amendment overcomes the examiner's prior art rejection.

**Hence claims 1-8, 10-20 and 22-24 are allowed.**

### ***Allowable Subject Matter***

The following is an examiner's statement of reasons for allowance:

1. The applicant has amended per the primary examiner's recommendations.

Therefore he believes the claim to be novel in his opinion.

2. Claim 1 recites a highly detailed design:

**Claim 1:** A method for performing channel configuration in a micro or pico cell network located in the operating area of a macro cell network, comprising:

selecting, in the micro or pico network, as the channel to be tested, a logical control channel to be transmitted on the physical channel of a macro cell in the macro cell network, directing a base station of the micro or pico cell network and terminals within the coverage area of the base stations of the micro or pico cell network to use the control channel to be tested,

establishing, by remote control, a connection between two or more terminals through base stations serving the terminals on the control channel being tested and making a measurement report on the quality of the connection,

selecting, as the channel to be tested, the next control channel of a macro cell of the macro cell network until the control channels of all desired macro cells have been tested,

determining, on the basis of the measurement reports, the control channels whose use guarantees the best range in the micro or pico cell network,

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directing the base stations of the micro or pico cell network to use the control channels of the macro call network guaranteeing the best ranges and

maintaining a data network connection between the terminals and the terminal controllers,

wherein the terminal controller of the micro or pico cell network controlling the operation of the terminals, is controlled through a data network connected to the micro or pico cell network.

3. Claim 13 makes is similar in nature and recites the same novel material:

**Claim 13:** A cellular radio network comprising one or more macro cell base stations, each coverage area being a macro cell and the macro cells forming a macrocell network;

a micro or pico cell network operating in the operating area of the macro cell network, which micro or pico cell network comprises at least one base station and at least one terminal in radio connection with the base station, wherein the cellular radio network also comprises a controller coordinating the channel configuration, the controller comprising;

means for selecting, in the micro or pico cell network, as the channel to be tested, a logical control channel to be transmitted on a physical channel of the macro cell,

means for directing the base station of the micro or pico cell network to use the control channel to be tested,

means for establishing, by remote control,

a connection between two or more terminals through the base stations serving the terminals on the control channel being tested,

means for making a measurement report on the connection quality,

means for selecting, as the control channel to be tested, the next control channel of a macro cell until the control channels of all desired macro cells have been tested,

means for determining, on the basis of the measurement reports, the channels whose use guarantees the best range in the micro or pico cell network,

means for directing the base stations to use the channels guaranteeing the best range; and

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means for maintaining a data network connection between the terminals and the terminal controllers,

wherein the cellular radio network comprises a data network for transmitting information in the cellular radio network and a terminal controller for controlling the terminals, and the controller is arranged to control the terminal controller through the data network.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. D'Agosta whose telephone number is 571-272-7862. The examiner can normally be reached on M-F, 8am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bill Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Stephen D'Agosta  
PRIMARY EXAMINER  
4-22-2005

